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DOC #:
DATE FILED: 7/9/2021

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July 8, 2021

VIA ECF

Hon. Analisa Torres
U.S. District Judge
U.S. District Court for the Southern District of New York
500 Pearl Street, Courtroom 15D
New York, NY 10007

Re: **Swartz v. 93 Bowery Holdings LLC,**
Civil Action No.: 1:21-cv-04068-AT (S.D.N.Y.)

Dear Judge Torres:

This office represents Defendant 93 Bowery Holdings LLC (“Defendant”) in the above-referenced matter. We write, with the consent of Plaintiff Helen Swartz (“Plaintiff”), to respectfully request that the Court: (1) adjourn the Initial Pretrial Conference presently scheduled for July 27, 2020 by 30 days; and (2) grant a corresponding extension of the deadline to file pre-conference submissions.

By way of background, Plaintiff commenced this action on or about May 6, 2021. (ECF No. 1.) On May 18, 2021, the Court set the Initial Pretrial Conference for July 7, 2021. (ECF No. 6.) On May 20, 2021, the Court granted Plaintiff’s request to adjourn the Initial Pretrial Conference until after service was perfected on Defendant and scheduled the Conference for July 27, 2021. (ECF No. 10.) On June 28, 2021, Defendant filed a request to extend its responsive pleading deadline to July 28, 2021 to give its recently retained counsel time to investigate the allegations in the Complaint, and for the parties to explore a potential non-litigated resolution of this matter. (ECF No. 13.)

This is Defendant’s first request for an adjournment of the Initial Pretrial Conference and the corresponding deadline to file pre-conference submissions. Defendant is requesting this adjournment so that the Initial Pretrial Conference occurs after its responsive pleading deadline so that the parties have an opportunity to explore the potential for a non-litigated resolution of this matter. We have communicated with counsel for Plaintiff, who consents to this request.

We respectfully submit this request in good faith and not to cause undue delay. The granting of this application will not impact any other presently scheduled deadlines. We thank the Court for its time and attention to this matter.

Very truly yours,

SEYFARTH SHAW LLP

/s/ Meredith-Anne Berger

Meredith-Anne Berger

cc: All counsel of record (via ECF)

GRANTED. By **July 28, 2021**, Defendants shall answer or otherwise respond to the complaint. The initial pretrial conference scheduled for July 27, 2021, is ADJOURNED to **September 7, 2021**, at **10:40 a.m.** By **August 31, 2021**, the parties shall file their joint letter and proposed case management plan.

SO ORDERED.

Dated: July 9, 2021
New York, New York



ANALISA TORRES
United States District Judge